

9/27/04
(9)

PROPOSED WARRANT ARTICLES AND RELATED ACTIONS
YIN PEET QUARRY ROAD PROJECT

Notice of Determination Under G.L. c. 40, §15A

The undersigned Board of Selectmen, being the custodian and board in charge of the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, attached hereto and on file with the Acton Town Clerk (the "Plan"), hereby declare that said land is no longer needed for the purpose(s) for which it was acquired, and that said land or interests in said land may be conveyed by the Town if so desired:

1. "Area A" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004;
2. "Area B" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004; and
3. "Area C" shown on the Plan, being a portion of Parcel 34 on the Town Atlas Map B-5 last amended January 2004.

TOWN OF ACTON, MASSACHUSETTS,
By its Board of Selectmen,

F. Dore' Hunter, Chairman

Peter K. Ashton

William H. Shupert, III

Walter M. Foster

Robert A. Johnson, Clerk

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DRAFT WARRANT ARTICLES

Article I (Requires 2/3 vote)

To see if the Town will vote to amend the Zoning Map, and the Zoning Bylaw references in accordance therewith, so as to change the district designation from Agriculture/Recreation/Conservation ("ARC") to Residence 10/8 ("R-10/8") of the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, on file with the Acton Town Clerk (the "Plan"):

1. "Area A" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004,
2. "Area B" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004, and
3. "Area C" shown on the Plan, being a portion of Parcel 34 on the Town Atlas Map B-5 last amended January 2004,

or take any other action relative thereto.

Article II (Requires 2/3 vote)

To see if the Town will vote to amend the Zoning Map, and the Zoning Bylaw references in accordance therewith, so as to change the district designation from Residence 10/8 ("R-10/8") to Agriculture/Recreation/Conservation ("ARC") of the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, on file with the Acton Town Clerk (the "Plan"):

1. "Area 1" shown on the Plan, being a portion of Parcel 11 on the Town Atlas Map C-5 last amended January 2004; and,
2. "Area 3" shown on the Plan, being a portion of Parcel 11 on the Town Atlas Map C-5 last amended January 2004

or take any other action relative thereto.

Article III (Requires 2/3 vote)

To see if the Town will vote to transfer the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, and on file with the Acton Town Clerk (the "Plan"), which land is currently held for general municipal purposes or for other specific municipal purposes for which it has heretofore been devoted, from the Board of Selectmen to the Board of Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to convey such land on such terms and conditions and for such consideration, which may be non-monetary consideration, as the Selectmen may determine:

1. "Area A" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004, and
2. "Area B" shown on the Plan, being a portion of Parcel 3 on the Town Atlas Map C-5 last amended January 2004,

or take any other action relative thereto.

Article IV (Requires 2/3 vote)

To see if the Town will vote to transfer the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, and on file with the Acton Town Clerk (the "Plan"), which land is currently held for general municipal purposes or for other specific municipal purposes for which it has heretofore been devoted, from the Board of Selectmen to the Board of Selectmen for the purpose of conveyance of an access/egress easement therein and to authorize the Board of Selectmen to convey an access/egress easement therein, on such terms and conditions and for such consideration, which may be non-monetary consideration, as the Selectmen may determine:

- "Area C" shown on the Plan, being a portion of Parcel 34 on the Town Atlas Map B-5 last amended January 2004,

or take any other action relative thereto.

Article V (Requires 2/3 vote)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift or eminent domain or otherwise and to accept the deed of a fee simple interest, on such terms and conditions as the Selectmen may determine, in the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, on file with the Acton Town Clerk (the "Plan"):

- "Area 1" shown on the Plan, being a portion of Parcel 11 on the Town Atlas Map C-5 last amended January 2004,

and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

Article VI (Requires 2/3 vote)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift or eminent domain or otherwise and to accept the deed of an easement interest and water rights, on such terms and conditions as the Selectmen may determine, in the following land and water in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, on file with the Acton Town Clerk (the "Plan"):

"Area 2" shown on the Plan, being a portion of Parcel 11 on the Town Atlas Map C-5 last amended January 2004,

and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

Article VII (Requires 2/3 vote)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift or eminent domain or otherwise and to accept the deed of a fee simple interest, subject to a non-exclusive easement reserved by the grantor for access and art display on such terms and conditions as the Selectmen may determine, the following land in the Town of Acton shown on a plan of land entitled "Proposed Site Plan, Yin Peet Studio & Residence, Quarry Road, Acton, MA," Drawing No. A-1, dated 12-28-2003, prepared by Norman C. Wang, Architect, on file with the Acton Town Clerk (the "Plan"):

- "Area 3" shown on the Plan, being a portion of Parcel 11 on the Town Atlas Map C-5 last amended January 2004,

and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

Article VIII (Majority vote)

To see if the Town will authorize the Board of Selectmen to petition the General Court to adopt special legislation authorizing the Town to convey and acquire the land and interests in real estate and water rights described under Articles ____ through ____ notwithstanding the requirements of General Laws Chapter 30B and any other general or special law to the contrary, and if and to the extent necessary, to authorize a change in use of said real estate pursuant to Article 97 of the Amendments to the Massachusetts Constitution, or take any other action relative thereto.

Article IX (Majority vote)

To see if the Town will adopt a resolution ratifying the Agreement entered into between the Board of Selectmen and Yin and Creighton Peet, dated _____ on file with the Town Clerk, concerning the acquisition and conveyance of the land and interests in real estate and water rights described in Articles ____ through ____, or take any other action relative thereto.